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C O N F I D E N T I A L THE HAGUE 000425

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TAGS: [PARM](#) [PREL](#) [CWC](#)

SUBJECT: CWC REVIEW CONFERENCE PART II: EVENTS AND
MEETINGS ON THE MARGINS OF THE CONFERENCE

REF: A. THE HAGUE 349
[1](#)B. THE HAGUE 420

Classified By: Ambassador Eric M. Javits for reasons 1.4 (B) and (D).

This is CWC-20-08.

SUMMARY

[1](#)1. (U) This cable is part of a series on the Second Chemical Weapons Convention Review Conference (RevCon) April 7-18, 2008. It follows the initial report at the end of the Conference (ref a), and the opening plenary sessions of the Conference and the general debate (ref b). Other cables will follow focusing on the process for the remainder of the Conference and an analysis of the final RevCon report.

[1](#)2. (U) The Second Review Conference presented a valuable opportunity to address a number of issues on the margins of the official sessions. Ambassador Javits took the initiative to host a dinner April 9 for industry, Technical Secretariat (TS), and country representatives to discuss industry's current and potential roles in working with the OPCW. In addition to numerous sidebar meetings held between the U.S. and other delegations, the Organization scheduled an open forum for NGOs and the scientific and industry communities, as well as several lunch time presentations. The results of these meetings are described below.

INDUSTRY DINNER

[1](#)3. (U) On April 9, Ambassador Javits hosted a dinner for the industry representatives who were in attendance for the Review Conference (open sessions and NGO forum), along with selected TS representatives and ambassadors. The attendees were:
- Mr. Rein Coster (Association of Dutch Chemical

Industries)

- Mr. Ted Cromwell (American Chemistry Council)
- Mr. Ian Dunn (Lyondell Basell, Amsterdam)
- Mr. Richard Eckwall (Office of the DG, TS)
- Mr. Neil Harvey (Chemical Industries Association (UK), also representing International Council of Chemical Associations)
- Ambassador Maarten Lak (the Netherlands)
- Mr. Liu Zhixian (External Relations, TS)
- Mr. Michael Luhan (Media and Public Affairs, TS)
- Ms. Kalimi Mworia (International Cooperation and Assistance, TS)
- Mr. Zhu Qing (National Authority, China)
- Ambassador Neelam Sabharwal (India)
- Mrs. Sandra Shroff (Indian Chemical Council)
- Dr. Rene van Sloten (European Chemical Industry

Council - CEFIC)

¶4. (U) The discussion focused on the vital role the industry plays in the success of the CWC; the role industry can play in areas of assistance and protection, including the Associate Program; and ways to better publicize the role of industry in the CWC to foster an improved public image of the chemical industry. The evening was a success in that industry representatives came away with the knowledge that their efforts are appreciated and ideas of how they might expand their vision in other areas to make the CWC even more successful. The TS and delegates came away with a better appreciation for the significant impact the CWC has on industry, that the industry went into the CWC as a willing and motivating

partner, and that the resulting association with a treaty on "chemical weapons" means a need for even better public outreach.

¶5. (U) Soon after the dinner, Delrep was contacted by TS Public Affairs Head Michael Luhan regarding a new project the TS is undertaking with the help of a university intern. They plan to follow-up with the industry participants of the Review Conference and other relevant individuals as to ways the TS can better support chemical industry in its public outreach and related areas. We expect to see some results of that effort in the coming months.

BILATERAL DISCUSSIONS WITH CANADA

¶6. (SBU) On April 9, three U.S. Delreps met with representatives of the Canadian delegation at the Canadians' request. The topics were varied, including incapacitating agents, and sampling and analysis. However, the heart of the conversation was low concentration thresholds for Schedule 2A/2A* chemicals. The Canadian delegation confirmed their wish to push through, as part of RevCon report language, an interim solution similar to the final facilitator's proposal before consultations on this issue ended (i.e., declarations are not required for mixtures containing 30 percent or less of a Schedule 2A chemical, provided that the amount is less than the verification threshold). Although many other delegations had spoken in favor of such report language, the Canadian delegation acknowledged that this could not go forward without consent by the U.S., Germany, and Japan.

¶7. (SBU) U.S. Delreps questioned the real value of such an interim measure, short of acting solely as a means of motivation, which the Canadian delegation admitted was its primary purpose. Delreps expressed concern that this also allowed other delegations who are less involved in this matter to make mischief, particularly as it is seen as a matter of some

disagreement within the WEOG. In the end, the Canadian delegation wanted to make sure that the report language marked this issue as one in need of resolution with some urgency. They also discussed some of their concerns about PFIB and related chemicals and how this should be dealt with in a decision. They welcomed an opportunity to meet with U.S. experts, perhaps in a classified session, to address their concerns in further detail. Delreps also encouraged Canada to consider pursuing this matter between a few of the most interested delegations to see if a solution can be reached before considering taking it back to a broader consultation. The Canadians agreed this was a pragmatic approach.

BILATERAL DISCUSSIONS WITH ZAMBIA

¶18. (U) At the request of the Zambian delegation, Amb. Javits, Robert Mikulak, and Delrep met with Mr. Fashion Phiri, Deputy Minister of Foreign Affairs, and Mr. Muyambo Sipangule, Zambia's Brussels-based Acting Perm Rep. After brief introductions, Phiri praised Amb. Javits' national statement and made a request for U.S. technical assistance. He cited a specific need for training customs and border officials, especially along Zambia's porous border with the Democratic Republic of the Congo. Mikulak promised to take the request back to Washington.

BILATERAL DISCUSSIONS WITH THE UK

¶15. (SBU) On April 9, U.S. Delreps (A. Robinson, W. Parker, S. Rodjom, D. Ozga, and J. Beckett) and the UK delegates (M. Rudduck, C. Rowland, J. McGilly, and Tsui-Ling Yu) met to discuss the remaining issues on the Iraqi draft CWC declaration and Libyan Trilateral Steering and Cooperation Committee (TSCC) concerns.

¶16. (C) IRAQ: The UK delegation reported that it had not yet completed its research to determine whether or not the UK had ever developed or weaponized the two BW toxins, Aflatoxin and Botulinum Toxin, that it had proposed to be considered for addition to Iraq's CWC declaration. U.S. Delrep provided an update on the draft recovered munitions amendment for submission to the TS upon Iraq's CWC accession.

¶17. (SBU) LIBYA: The U.S. discussed concerns related to Libya being able to complete an updated national paper for submission to the TS by May 9, 2008, in order for it to be considered at the June EC meeting regarding Libya's proposed change to its conversion request to retain the berm "sandbag" wall for the converted former Chemical Weapons Production Facility (CWPF) at Rabta. Most of the discussion centered on the U.S.-UK returning to Libya for another TSCC Chemical Weapons visit. In addition to the berm issue at Rabta, this visit would also include a site visit to the Rabta conversion facility, the Aziziyah Storage facility housing proliferation sensitive equipment and the site of the proposed Rabta Chemical Weapons Destruction Facility.

TRILATERAL DISCUSSIONS WITH LIBYA AND THE UK

¶18. (SBU) On April 16, the UK Delegation (C. Rampling, C. Rowland, and J. McGilly) and U.S. Delegate W. Parker met with Libyan representatives Dr. Hesnawy and Permanent Representative to the OPCW

Ghetoun to discuss the remaining trilateral issues with Libya as discussed in the bilateral U.S.-UK meeting the week before (see above). Robert Mikulak later joined the meeting.

RABTA CONVERSION

¶119. (SBU) Dr. Hesnawy led the discussion, first giving a status report of the ongoing conversion activities at Rabta former CWPF. He indicated that there was ongoing testing of the installed equipment (R-202, R-210, M-222, R-235, R-227, R-287, and R-390) with water to check the heating, controls, temperature, and timing. Dr. Hesnawy mentioned that the Italian firm, Pharma Chem, will be installing additional new equipment.

¶120. (SBU) On the conversion request, Dr. Hesnawy mentioned that OPCW inspectors wanted to include the equipment from the declared commercial Buildings 3 and 4 which house some dryers but were not part of the former CWPF. He indicated that Libya would be explaining this issue at the next EC. The formulation plant is ready and is working. Libya will be purchasing the pharmaceutical raw material, API, from India. He noted that a U.S. Congressional delegation had recently visited the Rabta facility. When asked by the UK whether or not a visit was possible, Dr. Hesnawy stated that he would pass along the request to the Libyan Foreign Ministry.

CHEMICAL WEAPONS DESTRUCTION FACILITY

¶121. (SBU) Dr. Hesnawy explained that progress is being made on the planning of the CWDF. He indicated that the Italian contractor requires a one-year lead time for the design and construction of the kiln for the demil facility. Construction of the building will proceed while waiting for the delivery of the kiln, which he indicated could be installed even after the building is erected. He said that it is just a matter of installing the kiln and connecting some bolts.

¶122. (SBU) Dr. Hesnawy stated that site preparation work had begun, and between December 2007 and the present, there has been work done on leveling the landscape by pushing the rocks and excess sand out. Roads have been constructed but, based on Hesnawy's description, these roads are not ready for vehicular traffic. Fences also have been erected.

NEGOTIATIONS ON CHALLENGE INSPECTION HOST COUNTRY AGREEMENTS

¶123. (C) U.S. delegate Dr. Deborah Ozga met on the margins of the RevCon to discuss CWC Host Country Agreements (HCAs) with the following countries: Greece, Japan, Norway, Poland and Republic of Korea.

¶124. (C) GREECE: Greek representative Prof. Ionnis Seimenis explained that he had no instructions on a position at that time, but would take up the matter over the next three months and would be ready to discuss the draft HCA at the next Executive Council. Seimenis also noted that he would need to educate the Greek Government on challenge inspection issues. U.S. Delrep noted that we have a background brief which we use for training purposes that might be helpful for him and provided him a copy, as well as a copy of the text of the current Greek draft HCA agreement for his reference.

¶125. (C) JAPAN: Two separate, but short, meetings were held with Japanese representatives. In the first meeting, Mr. Takeshi Aoki and Col. Yoshino

Shunji presented a marked up version of the most recent draft text provided by the U.S. through formal channels. Japan's markings were predominantly administrative. Concerning the two substantive brackets, U.S. Delrep noted that we would review these changes and get back to them. During the second meeting, the two delegations were able to resolve all bracketed text and discussed final details for signing. The Japanese delegation requested that the signature be done at a level below Ambassador and noted that the documents only needed to be in English. The Japanese delegation indicated that they wanted to finish the matter by the end of June as all staff members currently engaged in negotiating an HCA would be rotating out of their positions.

¶26. (C) NORWAY: The representative from Norway, Amb. Knut Langeland, apologized that he was not prepared to have a discussion, with their lawyer unable to attend. Aside from noting the preference for avoiding language that would indicate a bias towards a challenge inspection of U.S. assets in Norway, Langeland could not provide any other comments on the text. He requested that the U.S. send a delegation to Norway so they could meet with several Norwegian experts. U.S. Delrep said that due to budget constraints, immediate travel was not very likely. Amb. Langeland noted that they could try to plan around the Executive Council.

¶27. (C) POLAND: The U.S. delegation presented the Polish delegation with a new draft of the HCA, noting that the draft reflected the discussions held between the two countries at the Conference of States Parties in November 2007. The Polish delegation expressed their appreciation for the draft and said they would bring it back to Warsaw for review.

¶28. (C) REPUBLIC OF KOREA: The U.S. delegation delivered a draft text to Donggy Lee of the ROK Embassy. U.S. Delrep noted that changes were made per the previous discussions at the Conference of States Parties in November 2007. Later during the RevCon, ROK representative Kim Jae-woo requested a follow up meeting, noting that the HCA portfolio was being transferred to her. U.S. Delrep provided background as to the purpose and objectives of the HCA. Kim questioned why the U.S. provided two versions of the text. The U.S. noted that the two were provided because during the last meeting held on HCAs, Donggy Lee requested two texts as he was unsure whether it would be better to pursue a formal versus an informal style agreement. Kim noted she would review the text and provide a response through their Embassy in The Hague.

OPEN FORUM

¶29. (U) On April 9, after the completion of the general debate, the Review Conference went into recess to allow delegations to attend the Open Forum that afternoon. The meeting was chaired by Dr. Ralf Trapp and very well attended. The Director General gave the opening address. The speakers and their topics were:

Panel 1: Creating a more secure world through the CWC
- Daniel Feakes (Harvard-Sussex Program):
universality
- Paul Walker (Global Green): CW destruction
- Neil Harvey (ICCA): industry verification
- Angela Woodward (VERTIC): national implementation
- Jiri Matousek (INES): assistance and protection

Panel 2: Peaceful chemistry

- Alastair Hay (IUPAC): outreach and codes of conduct
- Abdouraman Bary (Burkina Faso National Authority): economic and technological development

Panel 3: Impact of science and technology on verification

- Mark Wheelis (CACNP): law enforcement
- Robert Mathews (Australia): OPCW inspections

¶30. (U) On Universality, Feakes reviewed the impressive growth in OPCW membership over the past decade, and the fact that growth had leveled off in 2001-02, prior to the adoption of the Action Plan on Universality. In assessing prospects for accession by the remaining twelve States Not Party, he advocated tailored strategies that included: high-level political engagement; linkage to trade issues (considering a ban on Schedule 3 transfers to States Not Party); and enhanced assistance under Articles X/XI. For the countries most difficult to persuade, he also called for further political isolation; continued efforts to undermine the legitimacy of CW possession/use; erosion of existing political linkages; and for the Middle East an eventual "stage managed" reciprocal process of accession.

¶31. (U) The presentation by Paul Walker created quite a stir by referring to "A State Party" by its name. Walker then went on to speculate as to the completion

date and sources of delay in the U.S. and Russian CW destruction programs, although he acknowledged that the enormously complex task of destruction had probably been underestimated by the drafters of the CWC.

¶32. (U) Harvey's presentation on industry verification focused on the implications of trends in chemical industry, highlighting: increasing numbers of plants that supply much of the global market for certain chemicals; an increasing degree of standardization in design, operation and production; large increases in the volume of international trade; shift in production to "non-traditional" countries; and an increased focus on specialty chemicals in developed countries. Harvey advocated increased outreach to chemical industry and more consistent implementation of the CWC.

¶33. (U) Woodward's brief presentation on national implementation stressed that effective implementation is critical to CWC compliance and must be comprehensive in nature. She emphasized that implementation is "a process, not an event" and that the adoption of legislation is only the beginning; and urged outreach to key stakeholders.

¶34. (U) Matousek's presentation on assistance and protection supported the idea that Article X could be important in addressing both CW and non-CW threats, citing the possibility of industrial accidents or chemical releases due to a conventional military strike. The remainder of the presentation appeared to be primarily an advertisement for Czech CW defense capabilities and equipment and the Czech Republic's Article X contributions.

¶35. (U) On outreach and codes of conduct, Alistair Hay reviewed IUPAC's efforts to develop educational materials for academia to sensitize educators to the dual use nature of chemistry and the importance of incorporating this in their teaching. Current training materials apparently focus initially on the dual use nature of pharmaceuticals (medical purposes/illegal narcotic production) and build on

this model to explain dual use chemicals in the CWC context. Materials are now available on the IUPAC website.

¶136. (U) Professor Bary's presentation on economic and technological development was a thoughtful, balanced assessment of the OPCW's international cooperation programs. He noted that current ICA programs are both useful and responsive, but could be improved by: developing mechanisms to assess and review programs' responsiveness and suitability to States Parties' needs; better coordination between programs (with the possible development of flexibly designed national "packages" of activities that build upon one another for greater long-term impact); increased coordination with relevant organizations; and further development of the Associates Program. Bary highlighted in particular the importance of ICA programs aimed at developing States Parties' capacity to implement the Convention.

¶137. (U) Mark Wheelis presented an overview of toxic chemicals in law enforcement, focusing on the use of anesthetics (e.g. fentanyl) as incapacitants for law enforcement purposes. In light of concerns surrounding the relatively low margin of safety between effective and lethal doses for many of these chemicals, he recommended that the Review Conference consider initiating a mechanism to determine what types of (and/or specific) toxic chemicals would be appropriate for law enforcement, and developing a requirement for States Parties to declare all toxic

chemicals held for law enforcement purposes. He suggested that absent such steps, States Parties should make use of the consultation, cooperation and fact-finding provisions of Article IX to clarify national practices, and could consider making voluntary declarations of their holdings of toxic chemicals for law enforcement purposes.

¶138. (U) On OCPF inspections, Bob Matthews briefly touched on the negotiations history leading up to the creation of the OCPF category, noting that a "verification gap" was created by the schedules of chemicals, as they do not cover many multi-purpose or pesticide plants (an area open for misuse). He emphasized the importance of inspections, and the need for improvements in declaration data and site selection. He called for the future development of an approach to undertake sampling and analysis during OCPF inspections.

TS PRESENTATION ON THE VERIFICATION INFORMATION SYSTEM

¶139. (U) During the first week of the Review Conference, Per Runn (TS, Head, Policy Review Branch) presented an overview of progress in development and implementation of the Verification Information System (VIS). The content of this briefing was very similar to that made during the Industry Cluster meetings on May 6. The presentation focused on the history of the development of the VIS, the VIS structure, the major benefits of the VIS (including for States Parties), electronic declarations, and support to States Parties. Mr. Runn pointed out that this first stage of the VIS is aimed at Article VI and that work on Article IV will be done in the first half of 2008. The hands-on demonstration of how the VIS works was well attended and received by delegations.

PRESENTATION BY THE SCIENTIFIC ADVISORY BOARD

¶40. (U) During the first week of the RevCon, the Scientific Advisory Board (SAB) held a lunchtime meeting to explain to delegations more about the role they play in advising the Director General on technical matters. The presentation was well-organized but rather general, leaving time for questions. Initially, there were very few questions. However, the Iranian delegate asked a fairly general question about low concentration thresholds for Schedule 2A/2A* (with the apparent goal of poking at those Western countries most involved in these discussions) but then went into a lengthy tirade about export controls and Schedule 3 transfers to States not Party, questioning why the SAB had never undertaken to evaluate these "unfair" practices. The SAB panel responded with an explanation of the process by which topics are normally forwarded by the DG to the SAB for consideration, and noted that this particular subject had not been officially presented to them. Then, Delrep responded in relation to the low concentration angle and pointed out that the SAB had evaluated this situation and concluded that the solution was a political one, rather than technical; Delrep went on to complement the SAB on being able to know where their technical advice ends and policy begins. There was no reply from Iran.

JAPANESE ACW PRESENTATION

¶41. (U) During the lunch break on April 9th, 2008, Japanese representative Nishi gave a presentation on his country's effort to implement chemical weapon destruction in China. The presentation covered three case studies of ongoing efforts including removal and destruction of chemical weapons from a riverbed in Yichum City, a forest site in Dunhua City and a factory in Ningan City. The presentation stressed the efforts to protect the workers, local residents and the environment. It also stressed the technical aspects of each project such as draining and removing unstable shells from riverbed sludge. The presentation highlighted that detection equipment would be triggered by a number of unidentified objects that would need careful removal for identification. Some ultimately would turn out to be hazardous but not chemical weapons. While making that point, the slides from the presentation showed the removal of unidentified items belonging to China that appeared to be artillery shells.

¶42. (U) At the end of the session, a Chinese representative noted that their government would appreciate earlier notification from the Japanese authority of chemical weapon activities so that it could better inform the local public about ongoing operations.

¶43. (SBU) In a private meeting after the presentation, a U.S. representative followed up with the Japanese concerning the nature of the weaponry which had been recovered but belonging to China. The Japanese noted that, to date, the Chinese shells which had been recovered were conventional in nature.

EU PRESENTATION ON "JOINT ACTION"

¶44. (U) On April 14, an EU representative from Brussels presented information on the EU Joint Action(s), sizeable voluntary contributions that have provided assistance in a number of areas of the Convention's implementation. The primary purpose of this presentation seems to have been to raise awareness or to remind delegations of the importance

of the EU's contribution. Two members of the Algerian delegation also presented information on a CWC Workshop for African States, and on a capacity building program for North African States Parties that had been funded by the EU Joint Action.

¶45. (U) In the context of the running debate on an Article XI "action plan" and NAM lobbying for unchecked increases in International Cooperation and Assistance resources, it may also have been to highlight the EU contributions that are already being made in this area. In this respect, the presentation appears to have been an opportunity missed. Falling as it did in the second week when negotiations intensified, the EU presentation was overshadowed by a NAM meeting scheduled at the same time, thus drawing away a significant portion of the intended audience.

¶46. (U) Javits sends.
Gallagher